

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 01-455-A
)	
ZACARIAS MOUSSAOUI)	
a/k/a "Shaqil,")	
a/k/a "Abu Khalid)	
al Sahrawi,")	
)	
Defendant.)	

ORDER

The defendant, pro se, has filed a Motion to Postponed [sic] the Leonie Brinkema Travesty of Justice Trial (Docket #379) in which he requests an unspecified but limited continuance of the scheduled trial date. Standby counsel support the defendant's request and argue that a continuance is necessary to allow them and the defendant sufficient time to review and digest the voluminous discovery and to conduct an adequate investigation.¹ The United States opposes any postponement of the scheduled trial date, contending that it has already issued trial subpoenas and that the public interest in a speedy resolution of this case is not outweighed by the defendant's and standby counsel's unpreparedness.

Although the public's right to a speedy trial is a legitimate concern, this Court's paramount concern is ensuring

¹For example, standby counsel, who request a continuance of at least 60 days, advise us that they received 40 CDs of additional discovery on August 15, 2002.

that the defendant receive a fair trial. The volume and complexity of the evidence in this prosecution fully support the defense request for a brief continuance of the trial date. Therefore, in the interest of the fair administration of justice, the defendant's pro se Motion to Postponed [sic] the Leonie Brinkema Travesty of Justice Trial (Docket #379) and standby counsel's Motion in Support of Defendant's Requests for Access to Evidence, Access to Secure Website and for a Continuance (Docket #396) are GRANTED;² and it is hereby

ORDERED that the trial date be and is CONTINUED as follows:

- On Monday, November 18, 2002, questionnaires will be distributed to and completed by the pool of potential jurors.
- Review of the questionnaires and determinations as to which potential jurors remain eligible to serve will be completed by Friday, December 6, 2002.
- Individual voir dire of eligible jurors will begin on Monday, December 9, 2002 at 9:00 a.m. and will continue until a final pool of 90 qualified jurors is obtained, from which the ultimate jury of 18 (12 jurors plus 6 alternates) will be selected.³
- On Monday, January 6, 2003, the trial will begin with the final jury selection and opening statements.

The Clerk is directed to amend the trial schedule consistent

² Standby counsel's motion is granted only as to their request for a continuance. The remaining requests for access to a secure website and access to classified discovery will be addressed in a separate order.

³ Each side will be permitted to exercise a maximum of 25 peremptory strikes, which may be used as to either alternates or regular jurors at the party's discretion.

with this Order and forward copies of this Order to the defendant, pro se; counsel for the United States; standby defense counsel; the Court Security Officer; and the United States Marshal.

Entered this 16th day of August, 2002.

/s/

Leonie M. Brinkema
United States District Judge

Alexandria, Virginia